

S.B.CRIMINAL MISC. BAIL APPLICATION NO.4572/2007
(Smt. Geeta Devi vs. State of Rajasthan)

DATE OF ORDER : September 18, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Sandeep Mehta, for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It is contended by the learned counsel for the petitioner that the petitioner is licensee, however, since she was not keeping well, therefore, she has transferred the licence in favour of her brother-in-law (Devar). Learned counsel for the petitioner has placed on record the licence issued by Excise Department and an agreement executed in favour of Prakash by the petitioner, though subsequently, the licence has been cancelled on the ground that it was wrongly been transferred.

Be that as it may, without commenting on the merit of the case, which may prejudice the case of either party at the trial, having regard to the facts and circumstances of the case and having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant

anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Smt. Geeta Devi w/o Chhagan Lal in FIR No.31/2007-08, Police Station, Excise Circle, Bali, Distt. Pali, she shall be released on bail for a period till the police concludes the investigation and files the challan provided she furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

- (i) That she shall make herself available for interrogation by a police officer as and when required;
- (ii) That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer and;
- (iii) That she shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-